


SOLID WASTE DISPOSAL ACT8-25. Administrative Enforcement Issuance of Complaints (Subtitle I)

1. **AUTHORITY.** Pursuant to Subtitle I of the Solid Waste Disposal Act, to:
  - a. proffer field citations;
  - b. take action under Section 9012 of the SDWA;
  - c. issue notices to states;
  - d. issue initial administrative orders under Section 9003(h) of the SDWA;
  - e. issue administrative complaints; and
  - f. take other authorized enforcement action.
2. **TO WHOM DELEGATED.** Director, Enforcement and Compliance Assurance Division.
3. **LIMITATIONS.**
  - a. This authority does not include the authorities addressed in Delegations 8-26 and 8-27.
  - b. The following limitations apply to authorities 1.a.-1.f.:
    1. This authority may only be exercised prior to the deadline for filing an answer to an administrative complaint.
    2. Any official exercising an authority other than proffering field citations must obtain prior concurrence from the regional counsel or designee.
    3. Any official exercising an authority at a federal facility other than proffering field citations must consult in advance with the assistant administrator for Enforcement and Compliance Assurance or designee.
    4. Before a regulation or policy directive is promulgated for Section 9012 of the SDWA, any person exercising this authority may take action under Section 9012 after receiving concurrence from the assistant administrator for Land and Emergency Management or designee.
4. **REDELEGATION AUTHORITY.**
  - a. Authority 1.a. may be redelegated to employees with inspector credentials.
  - b. Authorities 1.b., 1.c., 1.e., and 1.f. may be redelegated to the unit supervisor level, or equivalent, and no further.
  - c. Authority 1.d. may be redelegated to the branch chief level, or equivalent, and no further.

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- d. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. **ADDITIONAL REFERENCES.** Section 9006 of the SWDA.  
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Gregory Sopkin  
Regional Administrator  
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Date